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A STUDY OF THE CURRENT CURRICULUM REQUIREMENTS BY THE LEGISLATURE IN EACH OF THE FIFTY STATES.

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A SURVEY OF CURRICULAR REQUIREMENTS OF ALL 50 STATES REVEALED A HIGH DEGREE OF VARIABILITY FROM STATE TO STATE IN BOTH NUMBER AND TYPE OF COURSES MANDATED BY LEGISLATURES. CURRICULA IN ALL STATES ARE ALMOST ENTIRELY THE CREATIONS OF STATE AND LOCAL BOARDS AND CERTAIN INFLUENTIAL PERSONS. OF 99 REQUIRED SUBJECTS SURVEYED, THOSE REQUIRED MOST FREQUENTLY INCLUDED CLASSES ON ALCOHOL AND NARCOTICS, UNITED STATES CONSTITUTION, PHYSICAL EDUCATION, AND UNITED STATES HISTORY. SUBJECTS RELATING TO GOVERNMENT, LANGUAGE SKILLS, MATHEMATICS AND SCIENCE, AND MISCELLANEOUS COURSES APPEARED MOST FREQUENTLY. ALTHOUGH LEGISLATURES STIPULATED THE NAMES OF SUBJECTS TO BE TAUGHT, THEY DID NOT PRESCRIBE COURSE CONTENT, HOW EXAMINATIONS SHOULD RELATE TO COURSES DESIGNATED, OR WHAT WAS MEANT BY THE TERM "TAUGHT." FURTHERMORE, THERE WAS LITTLE UNIFORMITY IN COURSE TITLES FROM STATE TO STATE AND NO METHOD FOR DETERMINING COURSE EQUIVALENCIES BETWEEN STATES. MANY STATES REQUIRE COURSES WHICH HAVE NO EQUIVALENTS IN OTHER STATES. IN MOST STATES, CURRICULA ARE HEAVILY WEIGHTED WITH SUBJECTS CONCERNED WITH THE PRESERVATION OF SOCIETY, BUT HAVING LITTLE TO DO WITH INDIVIDUAL STUDENT WELFARE. MODERN DATA PROCESSING AND COMPUTER SYSTEMS, HOWEVER, CAN BE EMPLOYED BY STATES TO KEEP ABREAST OF NEW CURRICULAR NEEDS AND TO MOVE TOWARD EQUIVALENT CURRICULA AND A NATIONAL NORM. (JN)

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A STUDY OF THE CURRENT CURRICULUM REQUIREMENTS BY THE LEGISLATURE IN EACH OF THE FIFTY STATES[1]

Curriculum in the public schools of the United States, per se, is due to many varied and innumerable forces. Veterans groups (at the local and national level), writers of textbooks, self-motivated scholars, curriculum specialists and teachers have all contributed to the development of our curriculum today.

Thus school boards, influenced by various individuals and groups, have effected the addition or deletion of courses with respect to their own curriculum. Local school districts have always had a rather broad power in determining their own curriculum. This broad power has been well-protected by the courts.[2]

Curriculum workers have long been aware of the legislative requirements within their respective states, but it appears they have little knowledge of the requirements of other states. There has been no up-to-date national publication of school laws or of those affecting curriculum. In fact, the availability of general laws to those interested in curriculum is minimal.

Due to the size of the United States and the unique educational sovereignity of each state, understanding of the curriculum has been extremely difficult. The rapidly increasing population and the concomitant social, political and economic problems have caused considerable change. One author has stated: "The field of curriculum is one of the most complex, difficult, comprehensive, and rapidly changing fields in education."[3]

The problem investigated in this study was the determination of the current requirements mandated by the legislatures in each of the fifty states. The major quantitative factors investigated were concerned with grade levels, curriculum areas peculiar to each state, specific content, and time allotments as well. An analysis was undertaken to determine patterns resulting from geographical proximity, population, or order of admission to the Union.

The statutes used for this study were obtained from the codes published by the states or from annotated volumes of laws of the states. The curriculum requirements were those in effect as of April, 1966. All sources used were those sources accepted by the legal profession.

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[1] George Donald Marconnit. A Study of the Current Curriculum Requirements Mandated by the Legislature in Each of the Fifty States, Unpublished Ph.D. Dissertation, State University of Iowa, Iowa City, Iowa, August 1966, 276 pages

[2] Paul Mort and Donald Ross, Principles of School Administration (New York: McGraw-Hill Book Company, Inc., 1957), p. 278

[3] E.W. Eisner, "Levels of Curriculum and Curriculum Research," Elementary School Journal (December, 1965), pp. 155-162.

The report of the findings includes 99 subjects and represents the subjects required to be taught and/or studied, indicating: (1) grade levels in which the required subject must be studied, (2) requirements peculiar to each state, (3) the actual content of the subject whenever indicated, (4) the amount of time devoted to the subject, if specified, and (5) patterns resulting from geographical proximity, population, and order of admission to the Union.

From two per cent to eighty-six per cent of the states had requirements in each of the subject areas. The subjects required to be taught by the various legislatures and the percentage of states which had laws concerning each subject have been cited.

The following list shows the percentage of the fifty states (from highest to lowest) prescribing each subject.

<u>86% of the states</u>:

alcohol and narcotics

<u>56% of the states:</u>

United States Constitution

<u>50% of the states:</u>

physical education

<u>46% of the states:</u>

United States history — state history

<u>44% of the states:</u>

physiology — hygiene

<u>42% of the states:</u>

geography

<u>40% of the states:</u>

reading — spelling

<u>38% of the states:</u>

writing — arithmetic

<u>30% of the states:</u>

humane treatment of animals

28% of the states:

health

26% of the states:

fire prevention

22% of the states:

American history
moral instruction
safety education

20% of the states:

civil government
music
state government
agriculture

14% of the states:

English
conservation of natural resources
Bible reading

12% of the states:

civics
language
local government
accident prevention

10% of the states:

Declaration of Independence
flag education
composition
drawing
foreign language

8% of the states:

government
state civics
art
mathematics
science
natural science
nature study
hygiene
automobile driver training

6% of the states:

history
American government
local history
patriotism
algebra
fine arts
home economics
manual training

4% of the states:

local civics
communism
social science
physics
forestry
state traffic laws
American institutions and ideals
social studies
chemistry
sanitation

2% of the states:

voting
Americanism
world history
history of western civilization
ancient history
medieval history
political science
military science
Federalist papers
sociology
economics
cooperative marketing
consumer cooperatives
cooperative economics
world geography
state geography
rhetoric
American literature
English literature
language arts
general mathematics
commercial arithmetic
elementary bookkeeping
higher mathematics
geometry
general science
biology
practical arts
cotton grading
diary products
fish and game laws
prevention of communicable diseases
thrift
home and community

Of the ninety-nine subjects previously listed, six major categories can be used as a means of grouping these subjects for further illustration of the state requirements. These areas, along with the total number of subjects per category, are as follows:

1 - subjects related to government - 33 subjects
2 - subjects related to economics and geography - 7 subjects
3 - subjects related to basic skills and languages - 13 subjects
4 - subjects related to the arts - 5 subjects
5 - subjects related to mathematics and science - 14 subjects
6 - miscellaneous subjects - 27 subjects

Three practices of legislatures have caused ambiguity; the use of subject titles without prescribing content, requiring examinations but not specifying the examination, and requiring that subjects be taught. Taught could mean studied as well as taught.

Only eleven per cent of the prescriptions required a subject to be studied. Each of the following subjects were required to be studied by a particular state: civics, local history, American government, local government, partriotusm, communism, Federalist papers, world history, history of western civilization, world geography, state geography, mathematics, nature study, humane treatment of animals, conservation, health, hygiene, state traffic laws, safety education, and accident prevention.

Two states prescribed the study of civil government, state history and constitution, citizenship, the Declaration of Independence, English, and fire prevention while three states mandated the study of United States history, physiology and hygiene. Four states ordered the study of the United States Constitution. Physical education and the effects of alcohol and narcotics was required to be studied by seven states. Nine states specified the study of American history.

Every law prescribed a grade level or grade organization, i.e., primary, elementary, high school, all schools, or all grades in all schools. Subject requirements differing either in content, grade level, or time allotment from the usual requirements were considered to be unique. Nearly every state was found to have some unique requirement that differed from the majority of other states.

Iowa, for example, was unique in requiring the teaching of economics. Iowa was singular in requiring instruction in general mathematics and was unique in their requirement of practical arts.

Despite litigation and court decisions in regard to Bible reading,[4] six states were found to have requirements regarding the reading of the Bible. Two of which mandated that special emphasis be given to the Ten Commandements, Psalms of David, Proverbs of Solomon, the Sermon on the Mount, and the Lord's Prayer; also that a minimum of five verses be read daily.

Subjects were prescribed to be taught by title. There was no effort by the legislatures to indicate the subject content in a specific manner. References were made to documents or general areas but no attempt was made to present a course of study. There was, therefore, no method of determining if two similar but not identical titles actually referred to the same content; for example: United States history and American history, or American government and government.

Over half of the states had requirements in regard to the length of time to be allotted different subjects. Mandating that a particular amount of time be devoted to instruction in a subject could be an inhibiting factor to good scheduling. Flexible scheduling would be jeopardized by specifications requiring a certain number of minutes per week or days per month to be spent in regard to certain subjects.

Twenty-eight states had fifty-five prescriptions in twenty-eight different subject areas.

In Iowa the amount of time allotted to subjects follows:

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[4] School District of Abington Township, Pa. V. Schempp, 83 S. Ct. 1560 (1963).

1 - One year of American history in high school
2 - Four years of social science including American history, American government, and economics
3 - Two years of foreign language in high school
4 - One year of general mathematics in high school
5 - One year of physics and chemistry in high school
6 - Physical education for fifty minutes per week in grades one through eight
7 - 1/8 unit of physical education each semester in high school

As shown in Table I, p. 7, the fifty states have been listed in order of the number of prescriptions mandated by each state. Iowa had thirty-four; California, thirty-three; Indiana, thirty-one; Wisconsin, twenty-seven; Mississippi, twenty-six; Ohio, twenty-three; New Mexico, twenty-two; Connecticut and South Carolina, twenty; Massachusetts and Montana, nineteen; North Dakota, eighteen; Nebraska, Tennessee and Virginia, seventeen; Texas, fifteen; Kansas, Maryland, and New York, thirteen; New Jersey, Oklahoma, and Washington, twelve; Rhode Island, eleven; Michigan, Nevada, and Vermont, ten; Florida and Maine, nine; Arkansas, Minnesota, and North Carolina, eight; Colorado and West Virginia, seven; Delaware, Idaho, and Illinois, six; Alabama, Louisiana, Missouri, New Hampshire, Oregon, Pennsylvania, and South Dakota, five; Arizona and Wyoming, four; Kentucky and Utah, three; Georgia, two; Alaska, one; and Hawaii,none. The population rank and order of admission to the Union are also indicated in Table 1, p. 7.

The only academic subjects prescribed had to do with the preservation of the state and the nation. It would seem that the states more often required subjects related to the preservation of society and then included those which were directly related to the education or economic welfare of the student.

Several worthy objectives might be promoted through legislation and the states could be expected to promote their own broad-goal interests through legislation. One function of the state has always been the perpetuation of the culture and the state has chosen education as a means of accomplishing these social goals. Educators, however, have emphasized the development of the individual.

There was no apparent relationship between the number of curriculum prescriptions and the number of years a state had been in the Union, nor were there any evident geographic patterns.

Table I

States Ranked According to the Number of Legal Curriculum Prescriptions, Population, and Order of Admission to the Union

	Number of Curriculum Prescriptions	Population	Order of Admission		Number of Curriculum Prescriptions	Population	Order of Admission
Iowa	34	24	29	Vermont	10	47	14
California	33	2	31	Florida	9	10	27
Indiana	31	11	19	Maine	9	36	23
Wisconsin	27	15	30	Arkansas	8	31	25
Mississippi	26	29	20	Minnesota	8	18	32
Ohio	23	5	17	North Carolina	8	12	1
New Mexico	22	37	47	Colorado	7	33	38
Connecticut	20	25	1	West Virginia	7	30	35
South Carolina	20	26	1	Delaware	6	46	1
Massachusetts	19	9	1	Idaho	6	42	43
Montana	19	41	41	Illinois	6	4	21
North Dakota	18	44	39	Alabama	5	19	22
Nebraska	17	34	37	Louisiana	5	20	18
Tennessee	17	17	16	Missouri	5	13	24
Virginia	17	14	1	New Hampshire	5	45	1
Texas	15	6	28	Oregon	5	32	33
Kansas	13	28	34	Pennsylvania	5	3	1
Maryland	13	21	1	South Dakota	5	40	40
New York	13	1	1	Arizona	4	35	48
New Jersey	12	8	1	Wyoming	4	48	44
Oklahoma	12	27	46	Kentucky	3	22	15
Washington	12	23	42	Utah	3	38	45
Rhode Island	11	39	1	Georgia	2	16	1
Michigan	10	7	26	Alaska	1	50	49
Nevada	10	49	36	Hawaii	0	43	50

The states with the least number of laws tended to prescribe academic subjects which dealt with the well-being of society and had no prescription for the teaching of subjects which were more necessary for the educational and economic success of the individual. Yet four states had no laws which mandated the teaching of history or government of the nation, the state, or the local community. If the function of the laws was to be the general development of citizenship and a knowledge necessary for the continuation of a free society, these states have not met this need through legislation.

The subject most often required to be taught, and one state's only stipulation regarding the public school curriculum, was "alcohol and narcotics." The United States Constitution, physical education, United States history, state history, and physiology and hygiene in descending order were next in frequency of subjects required to be taught. Geography was the seventh most often prescribed subject followed by reading, writing, and spelling. Not only did the states with the fewest number of laws tend to have academic requirements dealing only with the preservation of the state, but those requirements for teaching subjects regarding the American heritage, government, and physical education were more frequently prescribed than the academic subjects which form the foundation for the continued education and success of the individual.

As might be expected, Iowa and California, the two states having the greatest number of prescriptions, also had the greatest number of stipulations regarding the amount of time to be devoted to subjects. Those subjects most frequently mandated to be taught for particular periods of time were American history, United States history, humane treatment of animals, and fire prevention.

One of the three states having the greatest number of laws affecting the curriculum had prescribed that foreign language be taught in the elementary school. Douglas commented that the state department had not been able to implement the legislation because of a lack of qualified teachers and insufficient funds.[5] Such legislation indicated a lack of study as to the various aspects of the problem of teaching foreign languages.

Some legislatures tended to enact laws which were of particular concern to their state. New Mexico required that Spanish be taught in grades five through eight. One of the most populous states had made driver training a requirement for all students. The Texas law requiring the teaching of cotton grading, Wisconsin's law regarding instruction in dairy products, and Mississippi's and Louisiana's laws prescribing that forestry be taught were examples of laws reflecting economic and parochial interests.

No two states had identical legislative requirements. The most apparent observation was the total lack of consistency in the prescription of the various states. Neighboring states generally had different numbers of requirements. The two newest states, Alaska and Hawaii, had one and no laws respectively.

The basic curricular offerings in the United States have been similar. Reading and Manuscript writing have usually been taught at the first grade level.

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5 Harl R. Douglas, The High School Curriculum (New York: The Ronald Press Company, 1964), p. 122.

Cursory writing was begun in third grade. Uniformity of practice would be unexpected in view of the disparity of the legal requirements of the fifty states.

The various requirements were not for the most part unusual but were subjects that had been taught for some time in the public schools. Legislatures have apparently tended to legislate that which has become common practice. Pound, in describing various types of law, has said: "There is an idea of law as a tradition of the old customs which have proved acceptable to the gods and hence point the way in which man may walk with safety."6

The question presents itself as to whether there should be any statutes regarding specific subjects or subject matter in the curriculum.

The public school is the legal creation of the state. The state has had the right and the power to mandate that the schools shall teach subjects which preserve the economic, political, and cultural values of the society. The variation in the number of statutes and the content of the statutes has shown praiseworthy intent but little consistency or clarity of purpose in the statutes for actual implementation.

It would appear that legislative committees for the development of basic requirements regarding the curriculum have not had the benefit of the counsel of educators. Perhaps some laws have been passed simply as the result of pressure groups.

Through the utilization of modern data processing and computer systems, the legal requirements of the various states could easily be kept up to date and provide educators and legislators with information concerning laws which have been repealed, amended, or new laws which have been enacted.

Nations have maintained unity by various means. A common vocation or industry has served this function as has a common religion. Any nation that has endured for a long period of time has provided some unifying system through which most individuals could relate to the majority. In the United States the public school has been such an institution. Factors other than the laws prescribing the curriculum have made the public school the institution in which all people have a common experience.

Due to the mobility of modern society, the states should endeavor to develop finer articulation in curriculum to facilitate transition from one state school system to another. The state legislature should look to the state department of education as the focus for both professional leadership and to represent the people in local school districts. The state department of education should serve as the legislative guide in meeting current and pressing needs in contemporary curriculum.

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6 Roscoe Pound, An Introduction to the Philosophy of Law (New Haven: Yale University Press, 1954), p. 20.